

23 AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Sarbanes OF Maryland, OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES:

30 revised

AMENDMENT TO H.R. 3221
OFFERED BY MR. SARBANES OF MARYLAND

At the end of title VI, add the following new sub-
title:

1 **Subtitle C—Telework**
2 **Enhancement**

3 **SEC. 6301. SHORT TITLE.**

4 This subtitle may be cited as the “Telework Enhance-
5 ment Act of 2007”.

6 **SEC. 6302. FEDERAL GOVERNMENT TELEWORK REQUIRE-**
7 **MENT.**

8 (a) IN GENERAL.—

9 (1) ELIGIBILITY.—Within 1 year after the date
10 of enactment of this Act, the head of each Executive
11 agency shall establish a policy under which each em-
12 ployee of the agency, except as provided in sub-
13 section (b), shall be eligible to participate in
14 telework.

15 (2) PARTICIPATION POLICY.—The policy shall
16 ensure that eligible employees participate in telework
17 to the maximum extent possible without diminishing
18 employee performance or agency operations.

1 (b) INELIGIBLE EMPLOYEES.—Subsection (a)(1)
2 does not apply to executive agency employees whose duties
3 require the daily handling of national security or intel-
4 ligence materials or daily on-site physical presence for ac-
5 tivity such as necessary contact with special equipment or
6 other activity that cannot be handled remotely or at an
7 alternate worksite.

8 **SEC. 6303. TRAINING AND MONITORING.**

9 The head of each executive agency shall ensure
10 that—

11 (1) telework training is incorporated in the
12 agency's new employee orientation procedures;

13 (2) telework training is provided to managers
14 and all new teleworkers; and

15 (3) periodic employee reviews are conducted for
16 all employees to ascertain whether telework is appro-
17 priate for the employee's job description and the ex-
18 tent to which it is being utilized by the employee.

19 **SEC. 6304. TELEWORK MANAGING EMPLOYEE.**

20 (a) IN GENERAL.—The head of each executive agency
21 shall appoint a full time senior level employee of the agen-
22 cy as the Telework Managing Officer. The Telework Man-
23 aging Office shall be established within the office of the
24 chief administrative officer or a comparable office with
25 similar functions.

1 (b) DUTIES.—The Telework Managing Officer
2 shall—

3 (1) serve as liaison between employees engaged
4 in teleworking and their employing entity;

5 (2) ensure that the organization's telework pol-
6 icy is communicated effectively to employees;

7 (3) encourage all eligible employees to engage
8 in telework to the maximum practicable extent con-
9 sistent with meeting performance requirements and
10 maintaining operations;

11 (4) assist the head of the agency in the develop-
12 ment and maintenance of agencywide telework poli-
13 cies;

14 (5) provide assistance and advice in labor-man-
15 agement interactions regarding telework;

16 (6) educate administrative units on telework
17 policies, programs, and training courses;

18 (7) provide written notification to each em-
19 ployee of specific telework programs and the employ-
20 ee's eligibility for those programs;

21 (8) focus on expanding and monitoring agency
22 telework programs;

23 (9) recommend and oversee telework-specific
24 pilot programs for employees and managers, includ-
25 ing tracking performance and monitoring activities;

1 (10) develop and administer a telework per-
2 formance reporting system;

3 (11) promote and monitor agency and other re-
4 sources necessary for effective teleworking;

5 (12) develop telework promotion and incentive
6 programs; and

7 (13) assist the head of the agency in desig-
8 nating employees to telework to continue agency op-
9 erations in the event of a major disaster (as defined
10 in section 102 of the Robert T. Stafford Disaster
11 Relief and Emergency Assistance Act (42 U.S.C.
12 5122)).

13 (c) REPORT.—The Telework Managing Officer shall
14 submit a report to the head of the employing agency and
15 the Comptroller General at least once every 12 months
16 that includes a statement of the applicable telework policy,
17 a description of measures in place to carry out the policy,
18 and an analysis of the participation by employees of the
19 entity in teleworking during the preceding 12-month pe-
20 riod.

21 **SEC. 6305. ANNUAL TELEWORK AGENCY RATING.**

22 (a) IN GENERAL.—The Comptroller General shall es-
23 tablish a system for evaluating—

24 (1) the telework policy of each executive agency;
25 and

1 (2) on an annual basis the participation in tele-
2 working by their employees.

3 (b) REPORT.—The Comptroller General shall publish
4 a report each year rating—

5 (1) the telework policy of each entity to which
6 this subtitle applies;

7 (2) the degree of participation by employees of
8 each such entity in teleworking during the 12-month
9 period covered by the report;

10 (3) for each executive agency—

11 (A) the number of employees in the agen-
12 cy;

13 (B) the number of those employees who
14 are eligible to telework;

15 (C) the number of employees who engage
16 on a regular basis in teleworking; and

17 (D) the number of employees who engage
18 on an occasional or sporadic basis (at least one
19 day per month) in teleworking; and

20 (4) for each executive agency, an assessment of
21 agency compliance with this subtitle.

22 **SEC. 6306 DEFINITIONS.**

23 In this subtitle:

1 (1) EMPLOYEE.—The term “employee” has the
2 meaning given that term by section 8101(1) of title
3 5, United States Code.

4 (2) EXECUTIVE AGENCY.—The term “Executive
5 agency” has the meaning given that term by section
6 105 of title 5, United States Code.

7 (3) TELEWORK.—The term “telework” means a
8 work arrangement in which an employee regularly
9 performs officially assigned duties at home or other
10 worksites geographically convenient to the residence
11 of the employee that—

12 (A) reduces or eliminates the employee’s
13 commute between his or her residence and his
14 or her place of employment; and

15 (B) occurs at least 2 business days per
16 week in at least 48 weeks in a year.